

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
STATE, et al.,

Defendants.

No. 2:18-cv-1115-RSL

**DECLARATION OF STUART J.  
ROBINSON IN SUPPORT OF  
FEDERAL DEFENDANTS'  
BRIEF IN OPPOSITION TO  
PLAINTIFFS' MOTION TO  
COMPEL PRODUCTION OF  
ADMINISTRATIVE RECORD**

**NOTED FOR:** August 10, 2018

**DECLARATION OF STUART J. ROBINSON**

I, Stuart J. Robinson, declare as follows:

1. I am a Trial Attorney in the United States Department of Justice, Civil Division, Federal Programs Branch. I am one of the counsel for Defendants United States Department of State; Michael R. Pompeo, in his official capacity as Secretary of State; Directorate of Defense Trade Controls; Mike Miller, in his official capacity as Acting Deputy Assistant Secretary of Defense Trade Controls; and Sarah Heidema, in her official capacity as Director of Policy, Office of Defense Trade Controls Policy (collectively, "Federal Defendants"), in the above-captioned case.

2. The statements made herein are based on my personal knowledge.

3. On August 2, 2018, Joel Ard, counsel for Defendants Defense Distributed, the Second Amendment Foundation, and Conn Williamson, informed Jeff Rupert, counsel for Plaintiffs, that he was not available to attend the hearing on a potential preliminary injunction set by the

1 Court for August 10, 2018. The parties eventually agreed to telephone the Court to request that  
2 the hearing be continued and that the Court set an agreed-upon briefing schedule.

3 4. Later on August 2, 2018, the parties jointly telephoned the Court's chambers. In  
4 discussions with the Court's Judicial Assistant, both Plaintiffs and Federal Defendants  
5 represented that they each expected to file briefs and at least one declaration in connection with  
6 the proposed briefing on a potential preliminary injunction. Based on the Court's availability  
7 for a hearing on August 21, 2018, the parties agreed upon a briefing schedule and conveyed  
8 that agreement to the Court's Judicial Assistant.

9 5. During the joint telephone calls with the Court's chambers, no mention was made by  
10 either party of an administrative record.

11 6. On August 3, 2018, the Court entered a scheduling order reflecting the parties'  
12 agreement. *See* Order Rescheduling PI Hearing, Establishing Briefing Schedule, And  
13 Extending TRO, Dkt. No. 30.

14 \* \* \* \* \*

15 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is  
16 true and correct.

17 Executed this 10th day of August, 2018.

18  
19 /s/ Stuart J. Robinson

20 STUART J. ROBINSON  
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